

Remarks

The present application was filed on March 30, 2001. This Response and accompanying Request for Continued Examination (RCE) are responsive to the final Office Action (Paper No. 8) mailed November 18, 2003, which provided a final rejection of claims 1-15. In response, the Applicant has herein cancelled claims 1-4 and 12-15, amended claims 5-11 and added new claims 16-28 to broaden the scope of the claimed invention, and to more particularly point out and distinctly claim the subject matter of the present invention. Particularly, the amendments to these claims and new claims do not narrow the claim scope in view of a rejection over prior art.

These amendments are necessary to put the claims in condition for allowance, in that they conform the language with what the Applicant and Examiner have agreed on the record as being patentable novelty over the cited references (see Office Action of 11/18/2003, pg. 5); alternatively, the amendments put the claims in better form for appeal.

Rejection of Claims Under 35 U.S.C. §102(b)

Claims 1-15 were rejected as being anticipated by U.S. Patent No. 5,956,203 issued to Schirle et al. ("Schirle '203"). This rejection is respectfully traversed.

Claims 1-4

Claims 1-4 have been cancelled without prejudice to obviate the rejection. Withdrawal of the rejection of these claims is respectfully requested.

Claims 5-11

Schirle '203 does not disclose the feature of the present invention as claimed in amended claim 5 by the language reciting: "*redirecting a gas flow generated by a rotation of a first disc of the disc drive along a surface mechanically isolated from the actuator arm and toward an inner diameter of the disc.*" The shroud insert 24 of Schirle '203 has a surface that continues to direct the gas flow in the same tangential direction as the direction generated by the disc rotation. The shroud insert 24 also has a channel 26 that redirects a portion of the tangential gas flow away from the discs: "Insert 24...has formed therein a channel 26 whose geometry is selected to guide air flow from spinning

disks 14 toward the VCM coil 22" (Schirle '203, col. 4 lines 2-5); "a guide surface...forming a channel that directs said air flow away from said disks..." (Schirle '203, col. 6 lines 4-7). That is, Schirle '203 does not disclose redirecting the gas flow toward the inner diameter of the discs.

Because the cited reference does not disclose the elements of the rejected claim as amended, it cannot sustain the Section 102 rejection. Reconsideration and withdrawal of the rejection of claim 5 and the claims depending therefrom are respectfully requested.

Claims 12-15

Claims 12-15 have been cancelled without prejudice to obviate the rejection. Withdrawal of the rejection of these claims is respectfully requested.

Claims 16-28

New claim 18 is an apparatus claim drawn to a turbulence attenuation device for an actuator in a data reading and writing relationship with a rotatable storage media. Support is found in the written description at least in FIG. 3 showing the shroud disposed adjacent the disc edge for providing the tangential airflow 345. Surfaces define the channel 172 with an inlet for admitting a portion 342 of the tangential airflow 345, and an outlet for directing the portion 344 toward the inner diameter of the discs.

Although independent claims 5 and 18 are drawn to the same invention, new claim 24 is also a product by process linking claim drawn to a storage device comprising a device for attenuating flow-induced disturbances by steps for redirecting an airflow upstream of the actuator. In accordance with proper claim construction under 35 U.S.C. §112 para. 6, the Applicant has described at least the method for attenuating 200 of FIG. 2 comprising steps 210, 215, 225, and 230.

Conclusion

This is a complete response to the Office Action mailed November 18, 2003. The Applicant respectfully requests that the Examiner enter the above amendments,

reconsider the application and allow all of the pending claims. The Examiner is invited to contact the below signed Attorney should any questions arise concerning this response.

Respectfully submitted,

By:  

Mitchell K. McCarthy, Registration No. 38,794

Randall K. McCarthy, Registration No. 39,297

Bill D. McCarthy, Registration No. 26,772

Fellers, Snider, Blankenship, Bailey and Tippens

100 N. Broadway, Suite 1700

Oklahoma City, Oklahoma 73102

Telephone: (405) 232-0621

Facsimile: (405) 239-9569